



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/542,274

01/13/2006

Norbert Rolland

0526-1105

2713

466

7590

12/18/2009

YOUNG & THOMPSON

209 Madison Street

Suite 500

Alexandria, VA 22314

EXAMINER

LUONG, VINH

ART UNIT

PAPER NUMBER

3656

NOTIFICATION DATE

DELIVERY MODE

12/18/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/542,274	<b>Applicant(s)</b> ROLLAND, NORBERT	
	<b>Examiner</b> Vinh T. Luong	<b>Art Unit</b> 3656	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 3, 15 and 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-14, 16, 17, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2005 and 19 October 2009 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/21/09</u> .   | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 3656

1. The preliminary amendment filed on July 15, 2005 has been entered.
2. Applicant's election of the species of FIG. 7 in the reply filed on October 19, 2009 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse. MPEP § 818.03(a).
3. Claims 3, 15, and 18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on October 19, 2009.
4. The drawings were received on October 19, 2009. These drawings are not accepted by the Examiner because of the reasons, *inter alia*, listed below:
  - (a) The drawings are not in compliance with 37 CFR 1.84 as required by 37 CFR 1.121(d). Please see Form PTO-948 attached; and/or
  - (b) The drawings are other than black and white line drawings as seen in the SCORE data base. However, the requirements under 37 CFR 1.84(a)(2) are not satisfied.
5. The drawings are objected to because of the reasons, *inter alia*, listed below:
  - (a) The drawings are not in compliance with 37 CFR 1.84. Please see Form PTO-948 attached in this Office action and on August 17, 2009. Note that MPEP 608.02(b) states: "[t]o be fully responsive, an amendment must include corrected drawings. See 37 CFR 1.85(c) and 37 CFR 1.121(d). The objection to the drawings will not be held in abeyance" and "[a] request to hold objections to the drawings in abeyance will not be considered a *bona fide* attempt to advance the application to final action (37 CFR 1.135(c))." Examples of proper drawings are

Art Unit: 3656

shown in the “Guide for the Preparation of Patent Drawings” available from the USPTO web site at [www.uspto.gov](http://www.uspto.gov); and/or

(b) Each part of the invention, such as, the axis in claims 2 and 6, the two segments in claim 7, the *suitable* return means in claim 9, the stationary part in claim 10, and the spring connected to the front gearshift in claim 11 should be designated by a reference character. Please see MPEP § 608.01(o).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to under 37 CFR 1.83(a). *The drawings must show every feature of the invention specified in the claims.* Therefore, the claimed features, such as, the axis in claims 2 and 6, the two segments in claim 7, the *suitable* return means in claim 9, the

Art Unit: 3656

stationary part in claim 10, the spring connected to the front gearshift in claim 11, the spring bias in claim 13, *etc.* must be shown or the features canceled from the claims. No new matter should be entered.

7. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

8. The disclosure is objected to because of the informalities, *e.g.*, (a) the disclosure should have proper headings listed above; and (b) each part of the invention, such as, the axis in claims 2 and 6, the two segments in claim 7, the *suitable* return means in claim 9, the stationary part in

Art Unit: 3656

claim 10, and the spring connected to the front gearshift in claim 11 should be designated by a reference character. See MPEP § 608.01(o). Appropriate correction is required.

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 1, 2, 4-12, 16, 17, 19, and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

(a) Claim 1 recites: “said changer (1) comprising *at least two* cable operating mechanisms.” (Emphasis added). However, the specification only describes and the drawings only show two cable operating mechanisms 5 and 6. It is unclear as to how Applicant made or used the changer that has more than two cable operating mechanisms as broadly claimed by the term “at least two.” See *Ex parte Ohshiro*, 14 USPQ2d 1750 (BPAI 1989) (Claim for two-cycle internal combustion engine that includes recitation “*at least one* of said piston and said cylinder having a recessed channel formed therein” violates written description requirement of 35 USC 112, since specification only discloses recessed channel in cylinder head).

(b) Claim 11 recites “a spring connected to the front gearshift (5).” However, the drawings (FIGS. 1-3) do not show the spring that is connected to the gearshift 5. It is unclear as to how Applicant made/used the spring connected to the front gearshift 5 as claimed.

Art Unit: 3656

(c) Claim 13 recites “first and second cable-controlled shifting mechanisms that utilized a spring bias.” Nevertheless, the drawings do not show the spring that biases the first and second cable-controlled shifting mechanisms 5 and 6. It is unclear as to how Applicant made/used the *spring biased* first and second cable-controlled shifting mechanisms as claimed.

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 1, 2, 4-14, 16, 17, 19, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 2, 4-14, 16, 17, 19, and 20 are indefinite for the reasons, *e.g.*, listed below:

(a) The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. For example, the term “Speed change” in line 1 of claim 1 should have been changed to “A speed changer,” and the term “Speed changer” in line 1 of claims 2, 4, etc. should have been changed to “The speed changer”;

(b) Regarding claim 1, the phrase “especially for” renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See the phrase “for example” in MPEP § 2173.05(d);

(c) Regarding claim 1, the phrase “such as” renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d);

Art Unit: 3656

(d) The permissive phrases “*can be* rotationally coupled intermittently” in claims 1, 2, 4, 12, and 16, “*able to induce*” in claim 1, “*can interwork*” in claim 7, and “*retractable*” in claim 12, *etc.* are vague and indefinite in the sense that things which may be done are not required to be done. For example, in claim 1, the grip can be, but is not required structurally to be rotationally coupled intermittently to the operating mechanism. See “crimpable” in *In re Collier*, 158 USPQ 266 (CCPA 1968), “discardable” in *Mathis v. Hydro Air Industries*, 1 USPQ2d 1513, 1527 (D.C. Calif. 1986), “removable” in *In re Burke Inc.*, 22 USPQ2d 1368, 1372 (D.C. Calif. 1992), and “comparable” in *Ex parte Anderson*, 21 USPQ2d 1241, 1249 (BPAI 1992);

(e) A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (BPAI 1989), as to where broad language is followed by “*such as*” and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 1 recites the broad recitation “elastic return means,” and the claim also recites “*such as a spring*” which is the narrower statement of the range/limitation. Similarly, claim 10 recites the broad recitation “notches and teeth,” and the



Art Unit: 3656

claim also recites “a *preferably* truncated triangular profile” which is the narrower statement of the range/limitation;

(f) Claim element “means of immobilization” or “*suitable* return means” in claim 9, “means for selectively interconnecting the rotatable grip with only one of the first and second cable-controlled shifting mechanism, respectively” in claim 13, or “means for selectively interconnecting the rotatable grip with only one of the first and second cables” in claim 14, *etc.* is a means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to disclose the corresponding structure, material, or acts for the claimed function.

Applicant is required to:

(1) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or

(2) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function without introducing any new matter (35 U.S.C. 132(a)).

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

(1) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function

Art Unit: 3656

and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter. 35 U.S.C. 132(a); or

(2) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181;

(g) The claims are replete with instances of no clear antecedent basis too numerous to point out specifically. For examples, see the terms “the *front* gear shift,” “the *rear* gearshift,” and “*this second* mechanism” in claim 1, “the latter” in claim 2, and “it” in claims 6 and 17-20;

(h) The alternative expressions, such as, “the rear gearshift (6) or cog gearshift” in claim 1 and “the rear cable (4)/grip (2)” in claim 15 render said claims vague and indefinite;

(i) It is unclear which structure(s) define(s) the claimed element, *e.g.*, “at least one element” and “the latter” in claim 2. Applicant is respectfully suggested to identify each claimed element with reference to the drawings;

(j) It is unclear whether the term that appears at least twice such as “a spring” in claim 8 refers to the same or different things. See double inclusion in MPEP § 2173.05(o); and/or

(k) It is unclear whether a confusing variety of terms, such as, (i) “gears *shifts*” (plural, emphasis), “the front gearshift,” “chainwheel gearshift,” “the rear gearshift,” and “cog gearshift” in claim 1; and (ii) “an elastic *return means*” and “suitable *return means*” in claim 9/6/1 refers to the same or different things. Please see MPEP § 608.01(o).

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 3656

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 1, 2, 4, 6, 8, 9, 16, 17, 19, and 20, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Savard (US 5,970,816 corresponding to EP 0727348 cited in the Spec.).

Claim 1

Savard teaches a speed changer with predetermined gears, especially for a cycle, for control by cables 44 and 46 (FIGS. 5, 16, and 17), based on a single rotating grip 18 of gearshifts (Savard, c. 9, ll. 57-65) connected respectively to an elastic return means, such as, a spring 96, 100, 102 (FIGS. 16 and 17), 72 (FIG. 5), said changer comprising at least two cable operating mechanisms 30, 58 and 32, 60 (FIG. 5) located within a case 12 (FIG. 5), one operating mechanism 30, 58 of the cable 44 of the front gearshift or chain wheel gearshift (not shown, Savard, c. 9, ll. 57-65), the other operating mechanism 32, 60 of the cable 46 of the rear gearshift or cog gearshift (not shown, Savard, c. 9, ll. 57-65), this second mechanism 32, 60 jointly in rotation with the grip 18, being able to induce release or pulling of the rear cable 46 during rotation of the grip 18 in the same direction, characterized in that the rotary assembly formed at least from the operating mechanism 32, 60 of the rear cable 46 and the grip 18 *can be* rotationally coupled intermittently to the operating mechanism 30, 58 of the front cable 44 of the chainwheel gearshift, this operating mechanism 30, 58 of the front cable 44, when coupled, being able to induce pulling or release of the front cable 44 of the chainwheel gearshift depending on the direction of rotation of the grip 18.

Art Unit: 3656

Claim 1 and other claims below are anticipated by Savard because Savard teaches each positively claimed element in the claim and its functional limitation. On the one hand, Savard's grip 18 can *selectively* choose and engage each of the selected gear ratios as claimed in Savard's claims 1- 7, thus, Savard's grip 18 is capable of being rotationally coupled intermittently to the operating mechanism as seen in FIGS. 9 and 13. On the other hand, it is well settled that a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then, it meets the claim. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). In addition, note that the functional limitations of a claim may not be given patentable weight where those limitations are inherent in a prior art reference. *In re Schreiber*, 44 USPQ2d 1429 (CAFC 1997). Moreover, as a matter of linguistic precision, the *permissive language* such as "the grip *can be* rotationally coupled intermittently to the operating mechanism" does not narrow claim, since it can be omitted. *In re Johnston*, 77 USPQ2d 1788, 1790 (Fed. Cir. 2006).

#### Claim 2

The rotary assembly formed from the operating mechanism 32, 60 of the rear cable 46 and the grip 18 *can be* rotationally coupled in an intermittent manner to the operating mechanism 30, 58 of the front cable 44 of the chainwheel gearshift (not shown) via at least one element 68 (FIG. 5) that rotates jointly with the grip 18 and that can move axially along an axis that is parallel to the axis 19 (FIG. 5) of the grip 18 during rotational displacement of the latter.

#### Claim 4

Art Unit: 3656

The assembly formed by the operating mechanism 32, 60 of the rear cable 46 and of the grip 18 *can be* rotationally coupled intermittently with the operating mechanism 30, 58 of the front cable 44 of the front gearshift (not shown) by jaw clutching 70, 72.

Claim 6

The operating mechanism 32, 60 of the rear cable 46 is composed of a drum 16 (FIG. 8) that rotates jointly with the grip 18, this drum 16 on its outside periphery comprising at least one track 32 for guiding a head 68 (FIGS. 14-16) of the cable 46, said head 68 of the cable 46 moving translationally along one axis that is essentially parallel to the axis of rotation 19 of the grip 18 as it follows the profile of the track 32 obtained by rotation of the grip 18, this displacement, depending on its direction, inducing release or pulling of the rear cable 46.

Claim 8

The head 68 of the cable 46 is provided with a spring 96, 100/102 (FIG. 17) that returns at least one part of the head 68 in permanent contact with the track 32. Savard, c. 12, ll. 8-65.

Claim 9

The drum 16 is equipped with means of immobilization 181, 186, 188 (FIGS. 18A and 18B) in a plurality of predetermined angular positions, each corresponding to positioning of the rear gearshift (not shown) on a cog (not shown), these immobilization means 181, 186, 188 moreover, allowing axial displacement of the drum 16 in the direction of pulling the cable 46 as the latter is being entrained in rotation via the grip 18, said drum 16 being returned in the opposite direction by suitable return means 194, 196 (FIG. 18A). Savard, c.13, ll. 25-35.

Claims 16, 17, 19, and 20

See claims 4 and 6.

Art Unit: 3656

15. Claims 13 and 14, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Prajczar (WO 98/36960 cited in the specification).

Claim 13

Prajczar teaches a speed changer control mechanism *for use* with a transportation device having first and second cable-controlled shifting mechanisms A' and B', C' (FIG. 10, p. 6 of translation) that utilize a spring bias comprising:

a rotatable grip S;

a case 1, 2;

first (13, 15, 15') and second (14, 16') cable operating mechanisms disposed within the case 1, 2, the first and second cable operating mechanisms 13-16' being *operatively* connected to first and second cables A' and B' of the first and second cable-controlled shifting mechanisms A' and B', C' respectively; and

means 15-17 (FIGS. 5a-5c) for selectively interconnecting the rotatable grip S with *only one* of the first and second cable operating mechanisms A' and B', C'. See pp. 11 and 12 of the translation and Applicant's admission: "the single control grip is a grip that is able to be moved rotationally and translationally so as to act either *on the chainwheel alone, or on the cog alone*" in Spec., ¶ 8.

Claim 13 and claim 14 below are anticipated by Prajczar because Prajczar teaches each positively claimed element in the claim. On the other hand, referring the speed changer control mechanism to the intended use or inferentially included element, such as, the first and second cable-controlled shifting mechanisms is not accorded patentable weight. See *In re Casey* and *In re Otto, supra*.

Art Unit: 3656

Claim 14

Prajczer teaches a shifting system for a bicycle, comprising:

a rotatable grip S;

a case 1, 2;

a front derailleur (at crank sprockets 30; FIGS. 1, 5-8, and 10; pp. 5-9 of translation);

a rear derailleur (at rear sprocket; FIGS. 1 and 5-8; p. 5-9 of translation);

first and second cables A' and B' extending between the case 1, 2 and the front and rear derailleurs, respectively;

first (13, 15, 15') and second (14, 16') cable operating mechanisms 13-16' disposed within the case 1, 2, the first and second cable operating mechanisms 13-16' being operatively connected to the first and second cables A' and B', respectively; and

means 15-17 (FIGS. 5a-5c) for selectively interconnecting the rotatable grip S with *only one* of the first and second cables A' and B'. See Prajczek's claims 1-7 in the translation.

16. Claims 5, 7, and 10-12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, *first and second paragraphs*, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

17. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Mitchell (first and second cable operating mechanisms 41F and 41R), Brix (FIG. 2), and Peppard (return spring 86).

Art Unit: 3656

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vinh T. Luong whose telephone number is 571-272-7109. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vinh T Luong/  
Primary Examiner, Art Unit 3656